

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
October 12, 2006

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period August 1 – August 31, 2006.
- III. **FACTS:** For the period August 1, 2006 through August 31, 2006 EQC issued thirty-five (35) Consent Orders with total assessed civil penalties in the amount of \$153,992.00. One (1) Consent Agreement was entered into during the reporting period.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
Hazardous Waste	0	\$ 0	1	\$ 12,000.00
Solid Waste	0	0	1	2,500.00
UST Program	0	0	5	4,000.00
SUBTOTAL	0	0	7	\$ 18,500.00
Water				
Drinking Water	0	\$ 0	9	\$ 9,160.00
Water Pollution	0	\$ 0	10	68,332.00
SUBTOTAL	0	\$ 0	19	\$ 77,492.00
<u>Air Quality</u>				
SUBTOTAL	0	\$ 0	9	\$ 58,000.00
TOTAL	0	\$ 0	35	\$ 153,992.00

ANALYSIS: During the reporting period, Hazardous Waste Enforcement entered into a Consent Order with Albemarle Corporation (Respondent), for violations of the Hazardous Waste Management Act and the Hazardous Waste Management Regulations. The Respondent is a manufacturer of complex and specialty chemicals that failed to mark the hazardous waste containers with the words “Hazardous Waste” or with words identifying the contents of the container, failed to clean up a hazardous waste discharge and failed to keep all containers closed except when adding or removing waste. Also, the secondary containment system was

not maintained to be free of cracks and gaps. The Respondent must ensure all hazardous waste containers are properly labeled, all discharged waste is properly cleaned up and disposed of, and all secondary containment systems are free of cracks and gaps. A civil penalty in the amount of twelve thousand dollars (\$12,000.00) was assessed. The Respondent has installed two new secondary containment liners and will submit a Standard Operating Procedure (SOP) for management of RCRA containers to the Department for review and implementation.

Water Pollution Enforcement entered into a Consent Order with Respondent, Chester Metropolitan District located in Chester, South Carolina. The Respondent is responsible for the proper operation and maintenance of the Fort Lawn Water Treatment Plant (WTP) and has violated the Pollution Control Act and the Water Pollution Control Permit Regulations. The Respondent failed to comply with the effluent discharge monitoring requirements for iron and failed to properly operate and maintain all units of treatment and control. A corrective action plan (CAP) containing a diagnostic evaluation of the WTP and a preliminary engineering report (PER) with a schedule for construction must be submitted. A civil penalty in the amount of seventeen thousand four hundred thirty-two dollars (\$17,432.00) was assessed. In order to meet the iron limits, the Respondent will have to either upgrade, relocate the discharge point, or stop using an iron based coagulant at the WTP.

Bureau of Air Quality Enforcement has entered into a Consent Order with Respondent, Montenay Charleston Resource Recovery, Inc. The Respondent operates a resource recovery facility that captures energy by burning municipal solid waste generated in Charleston County, South Carolina. The Respondent has exceeded its permitted emission limits for cadmium and lead during a source test on its boilers in November 2005. This exceedance is a violation of the Pollution Control Act and U.S. EPA Regulations. The Respondent must limit the cadmium and lead emissions from its boilers. A civil penalty in the amount of nine thousand dollars (\$9,000.00) was assessed. A voluntary corrective action plan (CAP) specifying inspection procedures adopted has been submitted and the boilers passed a Department approved source test in December 2005. Water Pollution Enforcement has also entered into a Consent Agreement with the Respondent for the proper operation and maintenance of its wastewater treatment facility (WWTF) due to the compliance schedule dates of the current existing operating permit extending beyond the expiration date of the current operating permit.

Of the thirty-five (35) Consent Orders issued by EQC enforcement programs during the reporting period, (34) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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Environmental Quality Control